

September 11, 2015



U.S. Department
of Transportation

East Building, PHH-30
1200 New Jersey Avenue S.E.
Washington, D.C. 20590

**Pipeline and Hazardous
Materials Safety Administration**

DOT-SP 16518

EXPIRATION DATE: August 31, 2017

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Midwest Helicopter Airways, Inc.
Willowbrook, IL
Certificate Number: Part 133 - JTKL388F
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the transportation in commerce in the U.S. of certain hazardous materials by 14 CFR Part 133 Rotorcraft External Load Operations transporting hazardous materials attached to or suspended from an aircraft. Such transportation is in support of operations when the use of cranes or other lifting devices is impracticable or unavailable or when aircraft is the only means of transportation, without being subject to certain hazard communication requirements, quantity limitations, packaging and loading and storage requirements. This special permit provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein. The most recent revision supersedes all previous revisions.
 - b. The safety analyses performed in the development of this special permit only considered the hazards and risks associated with the transportation in commerce.
 - c. No party status will be granted to this special permit.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.

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4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR Subpart C of Part 172 in that shipping paper requirements are waived, § 172.301(c) in that the marking requirements are waived, § 175.33 in that shipping paper and Pilot Notification are waived, and Part 173 in that certain packaging requirements are waived.
5. BASIS: This special permit is based on the application of Midwest Helicopter Airways, Inc. dated June 24, 2015 submitted in accordance with § 107.105 and the public proceeding thereon.
6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/Division	Identification Number	Packing Group
Batteries, wet, filled with acid, <i>electric storage</i>	8	UN2794	III
Batteries, wet, filled with alkali, <i>electric storage</i>	8	UN2795	III
Compressed gas, n.o.s.	2.2	UN1956	N/A
Liquefied gas, n.o.s.	2.2	UN3163	N/A
Lithium ion batteries, contained in equipment*	9	UN3481	N/A
Lithium metal batteries, contained in equipment*	9	UN3091	N/A
Lithium ion batteries*	9	UN3480	N/A
Lithium metal batteries*	9	UN3090	N/A
Refrigerating machines, containing non-flammable, non-toxic, liquefied gas or ammonia solution (UN2672)	2.2	UN2857	N/A

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*A lithium battery, including a lithium battery contained in equipment that otherwise meets the applicable requirements of § 173.185, with a mass exceeding 35 kg may not be transported under the terms of this special permit unless the offeror (shipper) is granted authorization to offer a lithium battery with a mass exceeding 35 kg aboard cargo aircraft under the terms of a special permit or an approval.

7. SAFETY CONTROL MEASURES:

a. PACKAGING -

(1) For refrigerating machines (UN2857), prescribed packagings must comply with Subpart B of Part 173 and § 173.306(e). Each refrigerating machine may contain no more than 200 pounds of non-flammable, non-toxic liquefied gas refrigerant.

(2) For all other hazardous materials authorized under the terms of this special permit, prescribed packaging is the manufacturer's original packaging or a packaging of equal or greater strength and integrity. Compatibility and effectiveness of all packaging must, at a minimum, meet the requirements of 49 CFR 173.24.

b. OPERATIONAL CONTROLS -

(1) Compressed gases must be secured in an upright position with protective caps and/or covers installed to prevent any unwanted discharge.

(2) Compressed gases must be packaged and conform to Subpart G of Part 173.

(3) Cylinders must be secured in such a manner that prevents the cylinder from movement during transportation. The cylinder neck/valve must be protected by the use of safety caps or collars. At no time shall the safety caps or collars be used as a lifting point.

(4) All batteries packed in equipment must be packed in a manner that prevents accidental activation or dangerous evolution of heat. Spare batteries or batteries pack with equipment must have their terminals insulated or protected to prevent short circuits and prevent a dangerous evolution of heat.

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(5) All lithium batteries contained in equipment, must be packed in such a manner as to prevent short circuits, including movement that could lead to short circuits. They must be equipped with an effective means to prevent dangerous reverse current flow (e.g., diodes, fuses, etc.) if a battery contains cells or series of cells that are connected in parallel.

(6) Hazardous materials that are capable of reacting dangerously with each other may not be placed next to each other or in a position that would allow a dangerous interaction in the event of leakage. The Segregation Table in § 175.78 must be used.

(7) Crew notification must be conducted prior to each operation conducted under the terms of this special permit. The crew must be notified of the type and quantities of hazardous materials to be transported under the terms of this special permit.

(8) The public must be excluded by local authorities and emergency responders must be notified in advance of each operation conducted under the terms of this special permit.

(9) Each operation conducted under the terms of this special permit is only authorized:

(i) In support of operations when the use of cranes or other lifting devices is impracticable or unavailable; or

(ii) When aircraft is the only means of transportation.

(10) All packages must be blocked and braced to prevent movement.

(11) Hazardous materials transported by external load must comply with the safety controls specified in this special permit.

(12) The safe operational weight limit of the aircraft may not be exceeded.

(13) Alternative pilot-in-command notification

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procedures for 49 CFR Part 175.33, may be established subject to the written approval of the cognizant Regional Hazardous Materials Manager.

8. SPECIAL PROVISIONS:

- a. The requirements for shipping papers in Subpart C of Part 172 are waived.
- b. Each package must be properly marked and labeled for the hazardous materials contained within.
- c. The marking requirements of 49 CFR 172.301(c) are waived.
- d. Operations under the terms of this special permit are only authorized to be conducted in the U.S.

9. MODES OF TRANSPORTATION AUTHORIZED: Rotorcraft External Load Operations.

10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each aircraft used to transport packages covered by this special permit.

- a. Authorized aircraft. Aircraft used under this special permit must be authorized as part of an FAA 14 CFR Part 133 Operating Certificate.
- b. Operations manual. FAA 14 CFR Part 133 operations must be conducted in accordance with conditions and limitations specified in the certificate holder's FAA-approved Rotorcraft Load Combination Flight Manual (RLCFM) and Hazardous Material Safety Mitigation Plan.

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c. Authorized persons aboard aircraft. No person may be carried on the aircraft other than as authorized by 14 CFR 133.35.

d. Operations under the terms of this special permit must be conducted in accordance with the FAA approved Mitigation Plan, Contingency Plan, or Congested Area Plan, as applicable.

11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this special permit and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:

- o All terms and conditions prescribed in this special permit and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- o Persons operating under the terms of this special permit must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
- o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this special permit must receive training on the requirements and conditions of this special permit in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this special permit, including display of its number, when this special permit has expired or is otherwise no longer in effect.

Under Title VII of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)—"The Hazardous Materials Safety and Security Reauthorization Act of 2005" (Pub. L. 109-59), 119 Stat. 1144 (August 10, 2005), amended the Federal hazardous materials transportation law by changing the term "exemption" to "special permit" and authorizes a special permit to be granted up to two years for new special permits and up to four years for renewals.

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12. REPORTING REQUIREMENTS: Shipments or operations conducted under this special permit are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 - Immediate notice of certain hazardous materials incidents, and 171.16 - Detailed hazardous materials incident reports. In addition, the grantee(s) of this special permit must notify the Associate Administrator for Hazardous Materials Safety, in writing, of any incident involving a package, shipment or operation conducted under terms of this special permit.

Issued in Washington, D.C.:



for Dr. Magdy El-Sibaie
Associate Administrator for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Material Safety Administration, U.S. Department of Transportation, East Building PHH-30, 1200 New Jersey Avenue, Southeast, Washington, D.C. 20590.

Copies of this special permit may be obtained by accessing the Hazardous Materials Safety Homepage at http://hazmat.dot.gov/sp_app/special_permits/spec_perm_index.htm. Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

PO: NICKS